



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/810,162

03/26/2004

Satoshi Morizaki

2933AS-12

8349

22442

7590

09/26/2008

SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

AMRANY, ADI

ART UNIT

PAPER NUMBER

2836

MAIL DATE

DELIVERY MODE

09/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/810,162	MORIZAKI ET AL.	
	Examiner	Art Unit	
	ADI AMRANY	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 and 7-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group II, corresponding to claims 4-6, in the reply filed on September 12, 2008, is acknowledged.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Actuator Controller Addressing Setting Device.

Claim Objections

3. Claim 4 is objected to because "changing" (line 15) should be written as "changes." Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanuma (US 4,918,365).

Tanuma discloses an actuator (fig 15, col. 9-10) for which an address value is set based on a control signal, the actuator comprising: an input (via 231), an output (via 235), a driving portion (204), and

a control circuit (232), connected to the input terminal, the output terminal, and the driving portion, for controlling the driving portion in accordance with the control signal;

the control circuit setting an initial value and disconnecting the input/output terminals (switch to position A; col. 10, lines 14-39); and

when the received control signal includes a predetermined value, the control circuit changing the initial value to the predetermined value, which is used as the address value of the actuator, and connecting the input/output terminals (switch to position B; col. 10, lines 40-46).

Wallace also discloses a switch (234) connected between the input/output terminals and a control IC (230).

6. Claims 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wallace (US 5,964,815).

Wallace discloses an actuator (fig 1, item 12; col. 3-7) for which an address value is set based on a control signal, the actuator comprising: an input (unlabeled in figure), an output (unlabeled in figure), a driving portion (16), and

a control circuit (18), connected to the input terminal, the output terminal, and the driving portion, for controlling the driving portion in accordance with the control signal (col. 4, lines 38-49);

the control circuit setting an initial value and disconnecting the input/output terminals (col. 6, lines 28-30 and line 66 to col. 7, line 8); and

when the received control signal includes a predetermined value, the control circuit changing the initial value to the predetermined value,

which is used as the address value of the actuator, and connecting the input/output terminals (col. 6, lines 41-50; col. 7, lines 9-25).

Wallace also discloses a switch (54; col. 5, line 54 to col. 6, line 10) connected between the input/output terminals and a control IC (fig 3; 12A')

7. Claims 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by applicants' admitted prior art (APA; specification pages 3) corresponding to JP 2,568,070, published in 1988.

APA discloses an actuator (page 1, paragraph 2) for which an address value is set based on a control signal, the actuator comprising: an input and output (inherent), a driving portion (page 1, par 2), and

a control circuit (page 2, line 33 to page 3, linen 3), connected to the input terminal, the output terminal, and the driving portion, for controlling the driving portion in accordance with the control signal;

the control circuit setting an initial value and disconnecting the input/output terminals (page 1, par 3); and

when the received control signal includes a predetermined value, the control circuit changing the initial value to the predetermined value, which is used as the address value of the actuator, and connecting the input/output terminals (page 2, par 1).

APA discloses that when an actuator receives an control signal, the actuator processes the signal and does not supply that signal to the output (input/output disconnected). After the predetermined value is set, the actuator passes the next control signal to the output (input/output disconnected).

Applicant discloses that the Japanese patent has an apparent short coming when data is transmitted. Data must travel through each upstream actuator, where each controller determines that signal is not met for itself, before the data is received at its destination. Claims 4-6, however, do not recite any limitations regarding multiple actuators or data transmission. Claim 4 recites one actuator and the limitations regarding setting an address value. This configuration is met by APA.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Setting address values to controllers in a daisy chain configuration is demonstrated by references cited in the enclosed list.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADI AMRANY whose telephone number is (571)272-0415. The examiner can normally be reached on Mon-Thurs, from 10am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571) 272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael J Sherry/
Supervisory Patent Examiner, Art Unit 2836

AA